

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**JAMES COPELAND,**

**Petitioner,**

**v.**

**BARRY SMITH, et al.,**

**Respondents.**

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**CIVIL ACTION**

**NO. 18-2411**

**ORDER**

**AND NOW**, this \_\_5th\_\_ day of December, 2019, upon consideration of Petitioner's Petition for a Writ of Habeas Corpus (Doc. 2), the Commonwealth's Response in Opposition (Doc. 18), Petitioner's Response to Respondents' Answer (Doc. 22), and the Report and Recommendation of U.S. Magistrate Judge Marilyn Heffley (Doc. 23), it is **HEREBY ORDERED AND DECREED** that:

1. The Report and Recommendation is **APPROVED** and **ADOPTED**;
2. The Petition for a Writ of Habeas Corpus is **DENIED WITH PREJUDICE**;
3. Petitioner's Motions to Stay Habeas Corpus Proceedings (Doc. Nos. 8, 19) are **DENIED**;
4. There is no probable cause to issue a certificate of appealability; and
5. The Clerk of Court shall mark this file **CLOSED**.

**BY THE COURT:**

/s/ **Petrese B. Tucker**

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**Hon. Petrese B. Tucker, U.S.D.J.**